

**TO:** COMMISSIONERS AND ADVISORS  
**FROM:** DARREN KEARNEY AND LORENA REICHART  
**SUBJECT:** TC13-026 – BIENNIAL CERTIFICATION OF STUDY AREA BOUNDARIES  
**DATE:** MARCH 7, 2017

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#### STAFF MEMORANDUM

In June 2013, the Commission approved the study area boundaries (SABs) of incumbent local exchange carriers (ILECs) in South Dakota. Commission Staff (Staff) filed those SABs with the FCC. On January 9, 2014, the Federal Communications Commission (FCC) released an Order<sup>1</sup> clarifying that annual updates of SAB changes made as of December 31 of the previous year must be submitted by March 15 of each year, with biennial certifications required when no changes are made.

In March of 2014, Staff requested the Commission delegate to Staff the authority to certify SAB changes with certain exceptions. The Commission granted Staff's request and delegated the authority "to certify [SAB] changes with the exceptions that the Commission will certify the [SABs] biennially and if any ILEC disputes Staff's authority in this matter, it may petition the Commission for relief."<sup>2</sup>

The Commission last certified the SABs through an order dated December 29, 2015.<sup>3</sup> The last SABs the Commission certified in December 2015 were submitted (and certified) to the FCC by Staff on December 17, 2015 (which captured all boundary changes made in 2015). As a result, Staff did not need to submit any boundary changes to the FCC or recertify the existing boundaries in March of 2016.

Because the Commission last certified the SABs in 2015, Staff is reopening docket TC13-026 for the Commission to complete its biennial certification of the South Dakota SABs for 2017. At this time, Staff is aware of only one boundary change that occurred in 2016, docket TC16-059, discussed below. All parties to the Commission's past certifications will be served with this memorandum in order to provide notice to review their SABs.

At this time, Staff is planning to bring this matter before the Commission at the March 14, 2017, commission meeting. However, if any parties identify additional boundary

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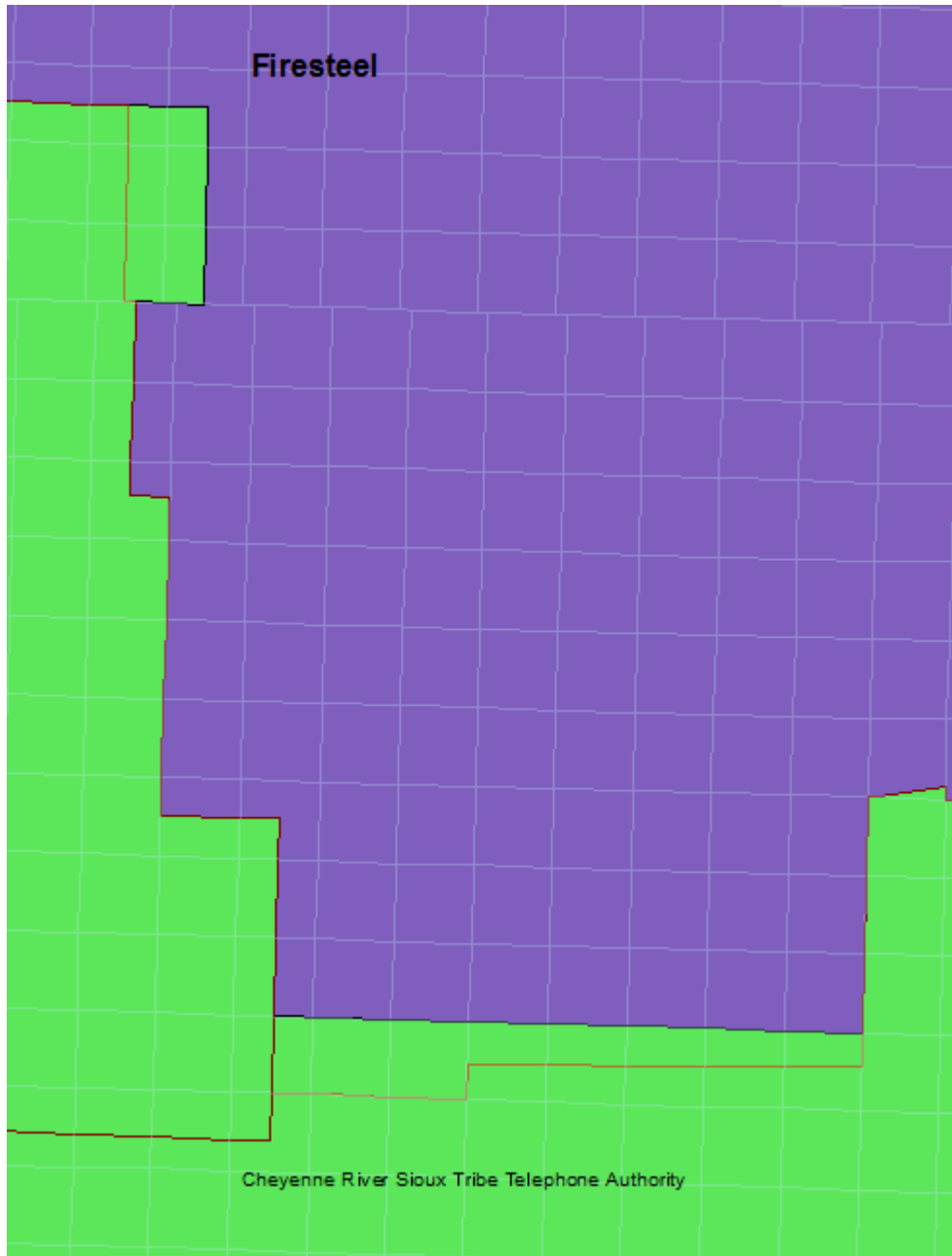
<sup>1</sup> [http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2014/db0109/DA-14-28A1.pdf](http://transition.fcc.gov/Daily_Releases/Daily_Business/2014/db0109/DA-14-28A1.pdf)

<sup>2</sup> See Docket TC13-026: Order Delegating Authority to Certify Study Area Boundary Changes (<https://puc.sd.gov/commission/orders/telecom/2014/TC13-026.pdf>)

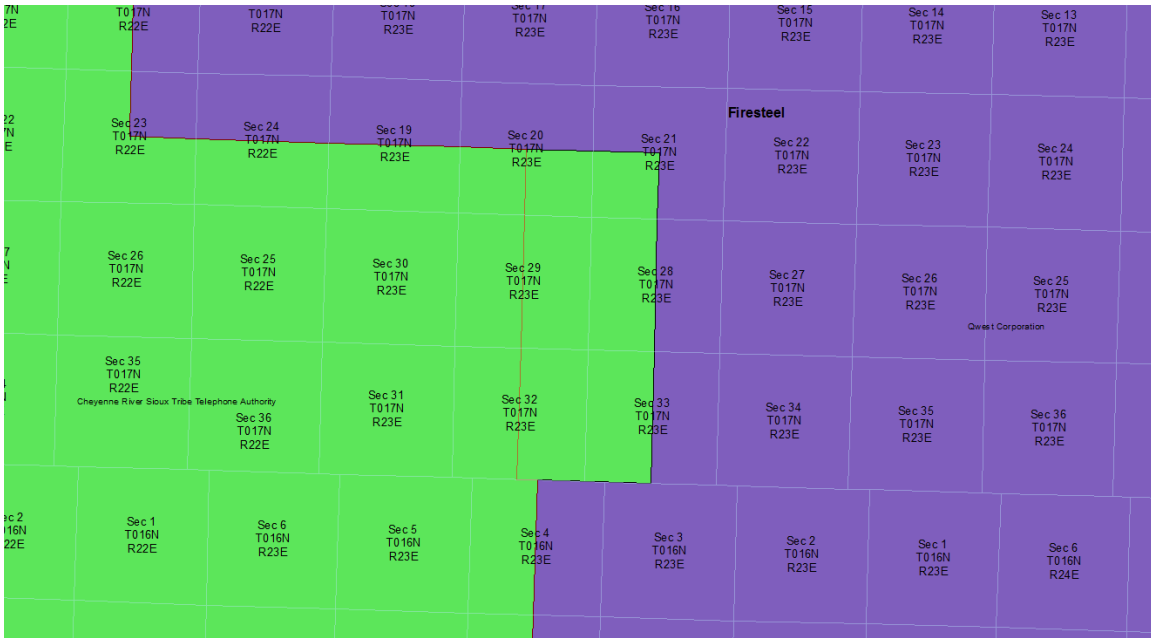
<sup>3</sup> See Docket TC13-026: Order Certifying Study Area Boundary Changes (<http://www.puc.sd.gov/commission/orders/telecom/2015/TC13-026.pdf>)

changes are needed, Staff will either incorporate those changes in the March 15, 2017 SAB update or submit the additional changes to the FCC later in the year as needed.

**2016 Boundary Changes:** In the map below, two solid red lines show where the boundaries were before docket TC16-059. The current boundary is black and is represented where the purple and green polygons meet. The southeastern black line also shows an existing division of Cheyenne River Sioux Tribe’s study area boundaries.

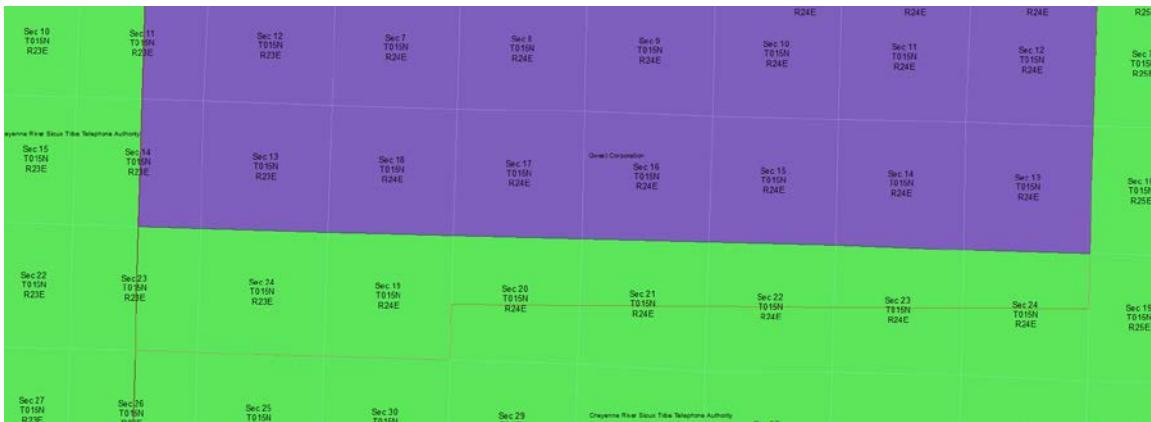


Map 1 – Changes made in Docket TC16-059



Map 2 – Northern View of the changes made in TC16-059

In Map 2, above, the red line that cuts through the center of sections 20, 29, and 32, was moved to where the purple and green polygons meet.



Map 3 – Southern View of the changes made in TC16-059

In Map 3, above, the red line starting at the SW1/4 of the SE1/4 of Section 23 running east and ending at the NE corner of Section 24 was moved to where the purple and green polygons meet.